

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

Diversified Financial LLC, a )  
Nebraska Limited Liability Company, )  
 )  
Plaintiff, )  
 )  
v. ) Case No. CIV-18-1101-D  
 )  
RHONDA BAKER, an individual, and )  
JAROD BAKER, an individual, )  
 )  
Defendants. )

**ORDER**

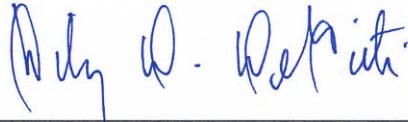
Upon review of the Complaint, the Court finds insufficient factual allegations to support the assertion of federal subject matter jurisdiction under 28 U.S.C. § 1332.<sup>1</sup> Plaintiff Diversified Financial, LLC, is alleged to be a limited liability company. A limited liability company is not treated like a corporation under 28 U.S.C. § 1332(c)(1), but like a limited partnership or other unincorporated association under *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-96 (1990). See *Siloam Springs Hotel, L.L.C. v. Century Surety Co.*, 781 F.3d 1233, 1237-38 (10th Cir. 2015). The Complaint contains no information concerning the members of the limited liability company and, therefore, fails to allege the citizenship of these parties or to establish complete diversity of citizenship.

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<sup>1</sup> The Court has “an independent obligation to determine whether subject-matter jurisdiction exists” and may raise the issue *sua sponte* at any time. *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006); see *Arbaugh v. Y&H Corp.*, 546 U.S. 500 506 (2006).

**IT IS THEREFORE ORDERED** that Plaintiff Diversified Financial, LLC, shall file an amended complaint to allege the existence of diversity jurisdiction within 14 days from the date of this Order.

**IT IS SO ORDERED** this 13<sup>th</sup> day of November, 2018.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE